

FRANKFORT/FRANKLIN COUNTY BOARD OF ZONING ADJUSTMENTS
May 6, 2008

Chairman Mitch Buchanan called the meeting to order at 5:30 p.m.
Recording Secretary Dawn McDonald called the roll.

MEMBERS PRESENT:	Mitch Buchanan
	William Groce
	Joyce Honaker
	Ryan Sell
	Michael Turner

MEMBERS ABSENT:	Barry Holder
	David Jones

Chairman Mitch Buchanan called the meeting to order, introduced staff and swore in the staff and audience.

The first item of business was approval of the April 1, 2008 minutes. Ms. Honaker made a motion to approve the minutes. The motion was seconded by Mr. Buchanan and carried unanimously.

The next item of business was a request from Jack Taylor for a Conditional Use Permit to allow a tavern/bar with walk up window within an existing bait shop located at 701 Taylor Avenue, zoned "CL" Limited Commercial District.

Maya DeRosa, City Planning Supervisor was present for the staff report and she reminded the board that they previously approved a CUP for this location in 2006 for a bait shop/snack bar. She mentioned that to date, the building is still under renovation and they plan to open in the Summer of 2008. Ms. DeRosa went over a slide show as she explained that there are no changes or enlargement at this time and that the only exterior change will be the walkup window. She mentioned that the applicant wants to sell beer at the window and inside at the bar and that the proposed hours of operations are from 4:00 pm to 1:00 am. She stated that the tavern area is about 612 square feet and that the applicant proposed to remove the building and other debris from the parking lot in the back of the structure. She mentioned that the closest residence is 200 feet away. The staffs analysis revealed both negative and positive findings and staff recommended approval with conditions.

The applicant Jack Taylor of 514 Steele Street was present and stated that he didn't understand why he couldn't have a walk up window. He said he wants patrons to be able to drink while they are fishing. He also mentioned that he doesn't believe there is a conflict with boat/canoe rentals and the sale of alcohol.

James Henderson of 308 Wilkinson and owner of the property located at 701 Taylor Avenue was present and stated that he bought this property as an investment

and that when he came before this board before they only approved what he was permitted to have per the code to begin with, he stated that they turned down all the other items. He mentioned that he didn't understand the issue of operating a bait shop and a tavern/bar in the same location and didn't agree with shutting down the rentals when the alcohol is being sold because that is when his business would be used the most, especially in the summer months.

Jack Turner of Taylor Avenue stated that the bait shop part of this project seems to be on the back burner and that the tavern/bar is now the front burner issue but he does not believe a tavern/bar is needed in this area. He stated that he has lived there for 10 years and that he is proud to live there but believes that should this condition be approved it would bring down the quality of the neighborhood. He also mentioned that he was concerned with safety and noise.

Jim Fitzpatrick of 212 Crown Point was present and stated that he is opposed there being a tavern/bar in that location. He mentioned that he lives on the hill above the subject property and that can hear down there and they don't believe they should be subject to a bar or its atmosphere. He also has concerns with safety and mentioned the 3 rock falls that have already happened in that location. Another of his concerns was the sewage system and he also felt like the parking would not be adequate.

Lisa Warren of 655 Taylor Avenue was present and questioned how they were going to separate the businesses, she was also concerned about the sewage system and noise. She said smokers will be outdoors and that will create a lot of noise. She mentioned a letter she received from Ed Council of Canoe Kentucky which stated that the sale of alcohol and the rental of water sport equipment is strictly prohibited and licenses can be revoked for such activity.

Bob Polsgrove of 53 Wapping Street directly across the river from the subject property stated that he is worried about noise and all night entertainment.

Kenneth Wells a Buttimer Hill resident and avid fisherman stated that he had concerns with water sports and drinking alcohol and the safety of doing so.

After discussion, Mr. Buchanan made a motion to approve the Conditional Use Permit with the conditions listed by staff in the staff report. The motion was seconded by Mr. Turner and failed with Ms. Honaker, Mr. Sell, and Mr. Groce voting no.

Ms. Honaker made a motion to deny the Conditional Use Permit to allow a tavern/bar based on the conditions and the negative impact it would have on the surrounding neighbors. The motion was seconded by Mr. Sell and carried unanimously.

The next item of business was a request from Sarah Lodmell for a Conditional Use Permit to allow a part-time personal embroidery business within her residence located at 517 Alfa Drive, zoned "RB" Single Family Residential Urban Density District.

Maya DeRosa, City Planning Supervisor was present for the staff report and she explained that this application is for a part-time embroidery business located inside the home. She went over a slide show as she explained that the area she will operate in is a 90 square feet section of the family room and that all equipment/supplies will be within this area. Ms. DeRosa stated that the proposal meets the size limitation. She recommended approval with conditions.

The applicant Sarah Lodmell of 517 Alfa Drive was present and stated that she had nothing further to add and that she was in agreement with the conditions.

After discussion, Ms. Honaker made a motion in accordance with Article 4, 18, and 19 of the City of Frankfort Zoning Ordinance to approve the Conditional Use Permit to allow a part-time embroidery business at the structure located at 517 Alfa Drive with the following conditions: 1) The conditional use applies only for Sarah Lodmell within the 9' X 10' area of the principal structure as noted on the attached floorplan; 2) the conditional use is permitted only at 517 Alfa Drive; 3) The conditional use is granted only to Sarah Lodmell and no other resident or employee; 4) the conditional use is not transferable and any change in ownership or use will make this approval null and void; 5) there shall be no other employees on-site; and 6) the type of personal services offered at this location shall be limited to only embroidery. The motion was seconded by Mr. Sell and carried unanimously.

In other business Mr. Buchanan mentioned that there is a conflict with the June BZA meeting date and asked staff to review and set another date. Ms. DeRosa said she would look into changing the dates for both the June and July meetings due to conflicts with scheduling.

Mr. Sell made a motion to adjourn. The motion was seconded by Mr. Groce and carried unanimously.

Adjourn